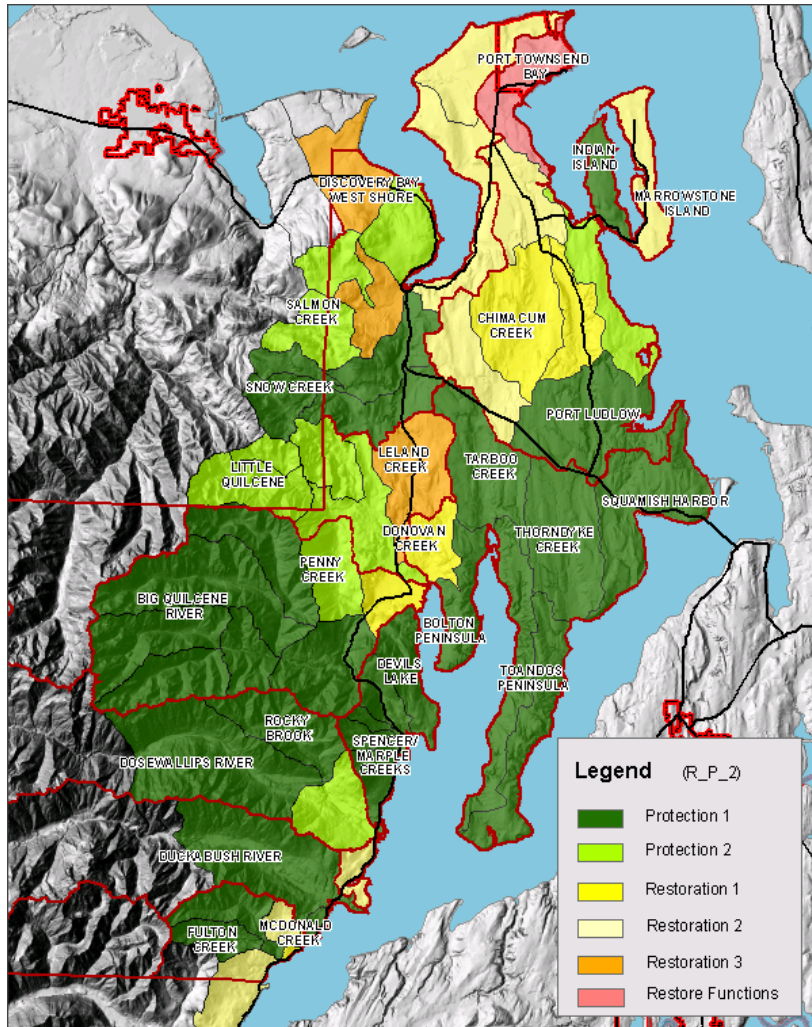


Environmental Mitigation That Works



GMAP December 12, 2006

Presentation Overview

- Review key elements of the Mitigation that Works Initiative (including core performance measures)
- Review questions from last GMAP
- Current activities
- Focus area: Watershed Characterization
- New developments/emerging issues

Environmental Mitigation That Works



Two Major Goals

- 100% success rate for mitigation projects
- Improved predictability and efficiency for permit applicants

What It Is

- Improving success of traditional mitigation
- Promoting alternative mitigation approaches
- Increasing protection for wetlands and shorelands through guidance and tools that help determine the best areas to protect, restore and develop

Strategies

Guidance and Tools

- 2006 Mitigation Guidance
- 2005 Watershed Characterization

Permitting Efficiencies (e.g.)

- Multi-Agency Permit Teams
- JARPA permit coordination
- Programmatic mitigation areas

Mitigation Outcomes

- Wetland Banking
- Advance Mitigation
- Improved permittee-developed mitigation

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Implementing the Initiative

- Promote interagency/stakeholder-developed solutions
- Implement changes in mitigation practices based on latest science
- Develop watershed-based approach to mitigation
- Test promising mitigation concepts and tools through pilot projects
- Provide guidance and training to promote more successful approaches to mitigation
- Improve compliance and monitoring of approved mitigation proposals
- Improve collection and access to mitigation data

Core Performance Measures

- Demonstrate Watershed Characterization as a promising standard for watershed-based mitigation
 - Provide Watershed Characterization assistance to 3-4 additional jurisdictions over next biennium
 - Finalize formal policies and guidance for Advance Mitigation in 2007
 - Sustain 90/90/10 performance for 401 permits
-
- Reduce wetland bank final decision from 2 years to 15 months*
 - Complete review of 10 bank proposals per year*
 - Improve compliance and monitoring from near zero to 100 percent every 3 years*
 - Institutionalize data collection and tracking to facilitate compliance monitoring and scientific research*

* Assumes 07-09 budget request

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Follow up Question From June 2006	Status
Is the budget proposal right sized?	<p>No it wasn't. Here is what we've done:</p> <ul style="list-style-type: none"> ▪ Mitigation Banking and Advance Mitigation: Proposed 3 FTEs to address current and immediate future demands for banking and advance mitigation. ▪ Watershed Characterization: Proposed 1 FTE to meet existing demand, but may not be adequate for future demand. ▪ Compliance: Proposed 4 FTEs to establish first ever monitoring and tracking program for mitigation sites.
Is the proposal phased?	<p>Each element of the existing proposal would be implemented immediately. The Initiative does take a phased approach to broader efforts, such as an in-lieu fee program.</p>
What will the budget proposal fund?	<ul style="list-style-type: none"> ▪ 1 Policy Lead ▪ 3 Banking & Advance Mitigation FTEs ▪ 4 Compliance FTEs ▪ 1 Watershed Characterization FTE ▪ .5 FTE Supervision & Administrative Support
What are the problems to be addressed by this proposal?	<ul style="list-style-type: none"> ▪ Estimated from year 2005 permits that 400 acres of approved mitigation will fail. ▪ 2 year backlog on mitigation banking review. ▪ No formal program to accommodate advance mitigation. ▪ Nearly zero capacity for compliance & monitoring. ▪ Need a standardized approach for mitigation from a watershed perspective. ▪ Currently don't have a functional database to track success and failures.



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Follow up Question From June 2006	Status
How many acres of wetlands are being damaged? Can the aquatics database be used to get a general idea?	Based on file review of year 2005 Section 401 permits, Ecology approved approximately 800 acres of mitigation. Assuming a 50% failure rate, approximately 400 acres are expected to be unsuccessful.
How are we moving forward with compliance?	Currently working under an EPA grant to develop a Wetland Regulatory Effectiveness Program. Program includes entering 100% wetland data into Aquatics Project Tracking System database and developing compliance procedures for approved mitigation. Funding expires in 2008.
How are we moving forward with Watershed Characterization?	Pilot Projects, participation in the Multi-agency Watershed Task Force, and training for agencies, local governments and consultants.
We need a communication strategy with Agriculture	Two representatives from agriculture (Western Washington Agricultural Association, Conservation Commission) have been added to the Wetland Banking Advisory Group.
Do we have safeguards in place for fee-in-lieu, advance mitigation and traditional approaches?	Primary safeguards are in the form of guidance and the permit approval process. Mitigation credits from banks are not released until they provide financial assurances, and additional credits are not released until they demonstrate compliance with performance standards. Safeguards for traditional approaches are through permit conditions that reflect agency guidance. There is no formal in-lieu fee program, so there are no safeguards.
How are we keeping the state family together on advancing mitigation?	<ul style="list-style-type: none">▪ Participation in the Multi-agency Watershed Task Force.▪ Development of joint Wetland Mitigation Guidance.▪ Coordinated Mitigation Budget Request under development.

Focus: Watershed Characterization

What It Is

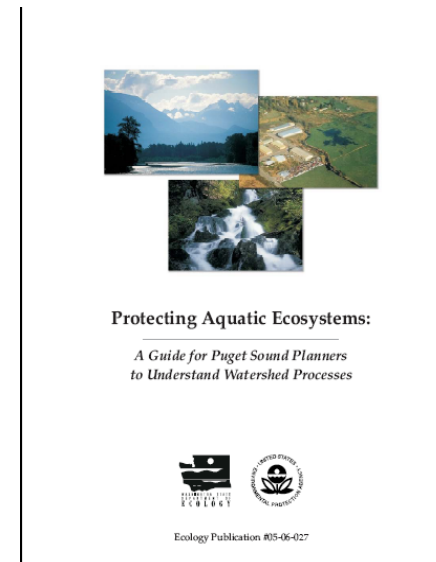
- Guidance to planners, resource managers and consultants on how to better protect aquatic resources

What It Does

- Informs planning and permitting for a range of programs, such as GMA, SMA, stormwater and mitigation
- Creates a framework to support the protection of aquatic ecosystems *and* provide for future growth by identifying areas:
 - Important to **protect** (i.e., key for maintaining watershed processes)
 - Important to **restore**
 - Most suitable to **develop**

What We're Doing With It

- Developing the tool
- Demonstrating its utility through pilot projects
- Training planners, resource managers and consultants in Puget Sound and Clark County



- 1998: Original work led by Ecology
- 1998 – 2005: Ecology, WSDOT & WDFW develop separate characterization tools to meet agency mandates
- 2005: Ecology completes peer-reviewed publication on principles of characterization
- 2005: Multi-Agency Task Force formed



Environmental Mitigation That Works

Whatcom County Pilot

Objective

- Support development of County's Shoreline Master Program Update

Funding

- \$100,000 / CZM grant

Timeframe

- January 2005 – September 2005

Impetus

- Shoreline Master Program Update

Outputs

- Identified key processes critical to aquatic resources
- Mapped areas important to maintaining critical functions in watershed
- Determined protection, restoration and management needs for each WRIA 1 Watershed Management Unit

Birch Bay Pilot

Objective

- Integrate characterization tools to meet multiple mandates (WDFW, Ecy, WSDOT, ACOE, EPA)

Funding

- \$110,000* / Ecology & PSAT

Timeframe

- June 2006 – June 2007

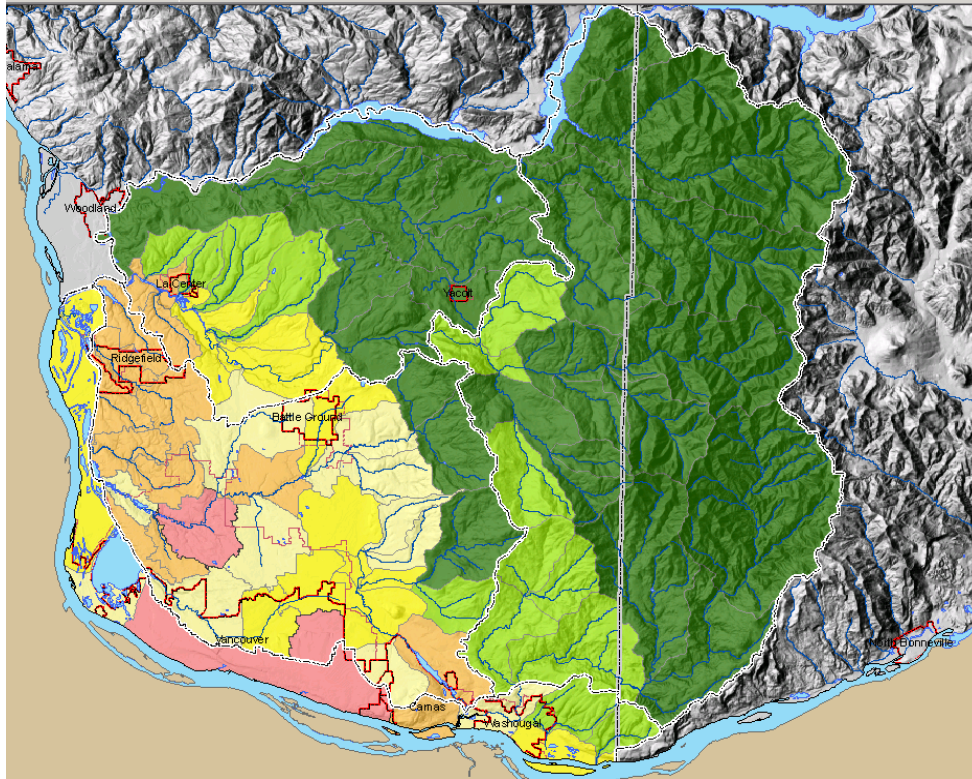
Impetus

- Grant to demonstrate utility of integrated tool for watershed-based planning

Outputs

- Ecosystem-based watershed plan
- Integrate existing plans for SMP and GMA
- Outline comprehensive mitigation strategies
- Options to streamline local permit review
- Draft stormwater action plan

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Dark Green = Priority 1 Protection
 Light Green = Priority 2 Protection
 Bright Yellow = Priority 1 restoration
 Light Yellow = Priority 2 restoration
 Tan = Priority 3 restoration
 Raspberry = Lower Priority

Clark County Pilot

Objective

- Develop “measures to protect habitat function and values while accommodating urban growth in the region.”*

Timeframe

- September 2006 - June 2007

Funding

- \$30,000 (Ecology time @ 1/3 FTE) / budget proviso

Impetus

- Development pressure in a rapidly growing region

Outputs

- Final map will identify priority areas for protection and restoration
- Will provide mitigation framework for locating best mitigation sites and wetland banks
- Detailed characterization for Battleground and Ridgefield will be completed to guide comprehensive planning

* From budget proviso

Environmental Mitigation That Works

Jefferson County Pilot

Objective

- Support development of County's SMP

Time frame

- March 2006 – December 2006

Funding

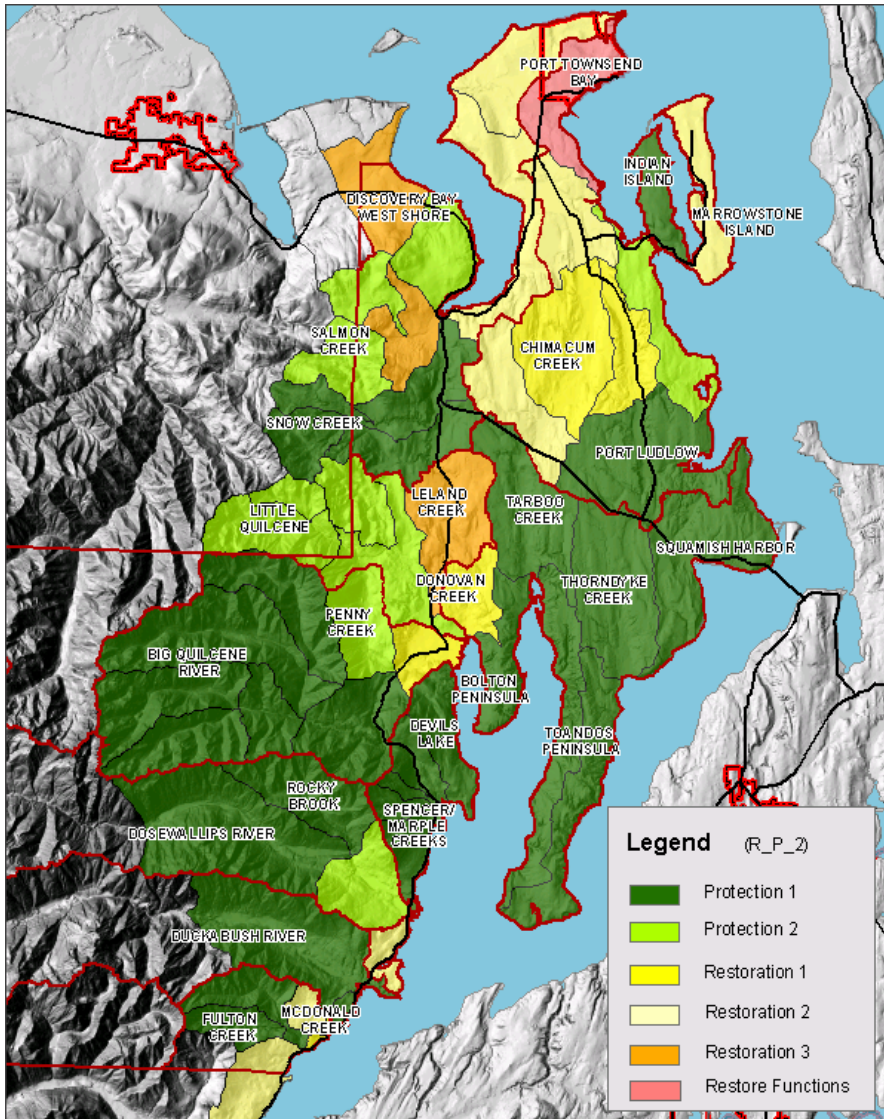
- \$25,000 (.25 FTE) / CZM

Impetus

- Shoreline Master Program update

Outputs

- Develop integration of freshwater and marine characterization methods
- Provide identification of priority areas for protection and restoration
- Assist in development of SMP designations and development standards and restoration plan





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Snohomish County

Time frame

- January 2007 - June 2007

Objective

- Support of Governor's Regulatory Improvement Program and development of an "alternative mitigation program."

Funding:

- Est. \$30,000 (Ecology time) / ORA

Impetus

- Regulatory permit streamlining and innovative mitigation

Outputs

- Characterization used to dovetail selection of mitigation sites by multi-agency permit (MAP) team
- Partner with WDFW to prioritize fish habitat restoration sites an additional "layer"
- Other needs as determined by County

Training

2006

- Coastal Training Program (CTP) to local governments and consultants (Vancouver & NWRO)
- WetNet Audubon
- NWGIS User Group
- Ecology staff

2007

- Continue CTP classes (3 anticipated)
- Continue presentation to non-governmental groups



Environmental Mitigation That Works

New Developments & Emerging Issues

Legislative	<ul style="list-style-type: none">▪ Assess opportunities in Governor's budget and develop communications plan▪ Senator Swecker proposing legislation that would fund 10 pilot projects to complete more characterization work
Multi-agency reform effort	<ul style="list-style-type: none">▪ Renewed potential to advance coordinate effort▪ Funding needed
Wetland Banking	<ul style="list-style-type: none">▪ Concerns from stakeholders that the banking program has not been transparent and collaborative, particularly banking community and environmentalists▪ 130 people attended December 5 Wetland Banking Forum
Stormwater	Discussions have begun between Ecology and DOT to develop alternative approaches to stormwater mitigation
Communications	Communications has published a "Mitigation that Works" brochure and posted it to Ecology's web site
Restoration and Mitigation	The issue of using mitigation dollars to fund restoration and/or conservation projects continues to require agency participation